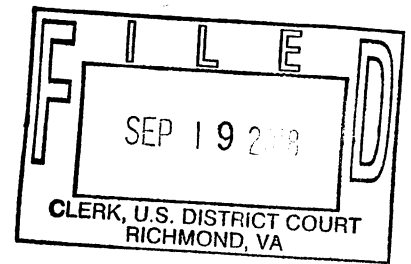


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



MICHAEL L. BROOKS,

Plaintiff,

v.

Civil Action No. 3:18CV496

WALMART DEPT. STORE,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on July 25, 2018, the Court conditionally docketed the action. At that time, the Court directed Michael L. Brooks to affirm his intention to pay the full filing fee by signing and returning a consent to collection of fees form. The Court warned Brooks that a failure to comply with the above directive within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

On July 31, 2018, the Court received a consent to collection of fees form from Brooks that was not signed. Accordingly, by Memorandum Order entered on August 10, 2018, the Court directed Brooks to read, sign, and return to the Court the enclosed consent to collection of fees form within fourteen (14) days of the date of entry thereof.

Brooks has not complied with the order of this Court. Brooks failed to return a signed consent to collection of fees form. As a result, he does not qualify for in forma pauperis

status. Furthermore, he has not paid the statutory filing fee for the instant action. See 28 U.S.C. § 1914(a). Such conduct demonstrates a willful failure to prosecute. See Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Brooks.

/s/ *REP*

Robert E. Payne
Senior United States District Judge

Date: *September 18, 2018*
Richmond, Virginia